

Notice of Allowability

Application No.

09/998,020

Examiner

Tadesse Hailu

Applicant(s)

NGUYEN, VU

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the AMENDMENT entered on 12/17/04.
2. ☒ The allowed claim(s) is/are 7-16 and 70-89.
3. ☒ The drawings filed on 30 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian G. Hart on April 10, 2005.

The application has been amended as follows: in the **Listing of the Claims:**
page 3, line 11, please change "1-7. (Canceled)" to -- 1-6. (Canceled) --

Pages 6 through 9, claims 70 through 79, at line 1 of each respective claim,
please change "method" to -- computing device --

Allowable Subject Matter

2. Claims 7-16, and 70-89 are allowed.
3. The following is an examiner's statement of reasons for allowance: Chew, the reference of record discloses a user interface for a pen-based device that allows users to activate the full "card" for an entry using a single tap while also giving the user the ability to reach a menu of context dependent commands using a simple gesture. In particular, Chew recognizes certain stylus and/or button inputs as context menu gestures. When these gestures are made, a context menu appears. The user is then able to select a command in the context menu that is to be performed.

Chew further discloses a method in a computer system for providing a user interface (Figs. 1-10, 13-16) for use with a stylus (e.g. 304 in Fig. 3). The method of Chew includes, among other things, receiving a stylus-based user input (e.g. 302 in Fig. 3), and responsive to receiving the input, displaying a menu (see 400 in Fig. 4) comprising selectable items (see the selectable items in 400) to allow a user, by selecting one of the selectable items (see the selected "DELETE CONTACT" item in Fig. 5), to direct the computer system to interpret one or more subsequent stylus-based user inputs as keyboard-like input (e.g. input from the overlaid keyboard, Figs. 3-10, and 15 entered into an edit field 1300 as shown in Figs. 13, 14 or 16).

While Chew discloses most of the claimed subject matter, but Chew fails to describe a method and an apparatus including re-routing stylus-based user input to a first application that is executing under an operating system (OS), the input being re-routed such that the input is not received by the operating system for distribution to any second application that is executing under the OS. Chew also fails to describe analyzing the input to determine whether the input should be treated as mouse input. Chew further fails to describe responsive to determining that the input should not be treated as a mouse input, displaying a menu comprising selectable items to allow a user to direct the computer system to Internet one or more subsequent stylus-based user inputs as right-mouse button input, hover cursor input, keyboard input, or handwriting input by selecting one of the selectable items as claimed in method claims 70 and 80, and as claimed in a computer readable medium claim 7.

CONCLUSION

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:00 - 630 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6. An inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

April 10, 2005

